

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA,

*Plaintiff,*

v.

STATE OF GEORGIA,

*Defendant.*

CIVIL ACTION

NO. 1:16-CV-03088-ELR

**DEFENDANT STATE OF GEORGIA'S**  
**MOTION FOR SUMMARY JUDGMENT**

COMES NOW, Defendant State of Georgia and respectfully files this Motion for Summary Judgment pursuant to Federal Rule of Civil Procedure 56 for the single claim presented in Plaintiff's Complaint. Doc. No. [1].

Defendant submits that there are no genuine issues of material fact and Defendant is entitled to judgment as a matter of law on Plaintiff's claim contained in Count I of its Complaint. Doc. No. [1], pp. 24-25. Specifically, Plaintiff has failed to identify evidence sufficient to show that the finder of fact could conclude Defendant violated Title II of the Americans with Disabilities Act.

In support of this Motion, the State relies upon the pleadings and other matters of record, as well as its Statement of Undisputed Material Facts, Brief in

Support of this Motion for Summary Judgment, and the declaration of Dante McKay, filed contemporaneously herewith.

WHEREFORE, the State respectfully requests that the Court grant this Motion for Summary Judgment and that this case be dismissed with prejudice.

This 7th day of November, 2023.

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